OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

ERICA HOLLINS,	)	No. 102093
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of St. Louis County
vs.	)	
	)	Honorable Michael D. Burton
CAPITAL SOLUTIONS INVESTMENTS I,	)	
INC., D/B/A LOAN EXPRESS CO.,	)	
	)	
Respondent.	)	FILED: June 2, 2015

Appellant Erica Hollins ("Hollins") appeals from the judgment of the trial court granting summary judgment in favor of Respondent Capital Solutions Investments I, Inc. ("CSI") and dismissing Hollins's First Amended Petition in its entirety. Hollins's First Amended Petition sought to set aside a default judgment obtained by CSI in a collections action brought against Hollins. On appeal, Hollins asserts that the trial court erred in granting CSI's motion for summary judgment because: (1) the trial court that entered the default judgment in the collections action lacked subject matter jurisdiction and therefore the judgment should be set aside under Rule 74.06(b)(4); and (2) it is no longer equitable for the judgment to remain in force because it is an illegal judgment requiring court supervision and therefore the judgment should be set aside under Rule 74.06(b)(5).

AFFIRMED.

Division III holds: Because the trial court had subject matter jurisdiction over the collections lawsuit filed by CSI, the judgment entered by trial court was valid and not subject to being set aside as a void judgment under Rule 74.06(b)(4). Furthermore, the facts in the record do not warrant the application of Rule 74.06(b)(5) because enforcement of the default judgment is not inequitable. Finding no error, we affirm the judgment of the trial court.

Opinion by: Kurt S. Odenwald, P.J.,
Robert G. Dowd, Jr., Concurs in separate opinion, and
Gary M. Gaertner, Jr., Concurs in separate concurring opinion by Judge Robert G. Dowd, Jr.

Attorney for Appellant: Alicia Campbell

Attorney for Respondent: Michelle M. Drake